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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

Joseph Shegog

Plaintiff

v.

Civil Action No.: 1:21-cv-357

Officer Grinell, Jennifer Mooney,

(Jury Trial Demanded)

Jennifer Deplatchett, Ms. Shrader,

and Ms. Giles. All sued in their

Individual and Official Capacities.

Defendants.

FILED

DEC 23 2021

CLERK U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

Introduction

This is a 42 U.S.C. § 1983 Civil Action filed by Plaintiff, Joseph Shegog,, for violations of his “First and Eighth Amendment” rights.

Jurisdiction

The Western District of Pennsylvania is an appropriate district because it is where the events giving rise to this action occurred. 28 U.S.C. § 1391(c)(b).

Parties

1. Plaintiff, Joseph Shegog, is and was, at all times mentioned herein an inmate at SCI-Albion (10745 Route 18, Albion, Pa. 16475).
2. Defendant, Officer Grinell, is and was, at all times mentioned herein a Correctional Officer at SCI-Albion. His duties include, the security of SCI-Albion (10745 Route 18, Albion, Pa. 16475).
3. Defendant, Jennifer Mooney, is and was, at all times mentioned herein a Supervisor at SCI-Albion. Her duties include the supervision of SCI-Albion’s Correctional Industries (10745 Route 18, Albion, Pa. 16475).
4. Defendant, Jennifer Deplatchett, is and was, at all times mentioned herein a Unit Manager at SCI-Albion. Her duties include, the supervision of Housing Units(10745 Route 18, Albion, Pa. 16475).

5. Defendant, Ms. Shrader, is and was, at all times mentioned herein a counselor at SCI-Albion. Her duties include the supervision of SCI-Albion. Her duties include counseling SCI-Albion inmates(10745 Route 18, Albion, PA 16475).

6. Defendant, Ms, Giles is and was, at all times mentioned herein the Employment Manager at SCI-Albion. Her duties include providing employment to SCI-Albion inmates(10745 Route 18, Albion, PA 16475).

Facts

7. On January 31, 2020, Plaintiff was called into his supervisor Mr. Martin's Office for his 60 day review. At that time, Defendant Mooney went over the review.

8. Defendant Mooney had documented two "Below-Average" ratings on the plaintiff's report. Plaintiff read the definition of "Below-Average" which states: "The inmate does not demonstrate a sincere interest in developing positive work habits. The inmate usually reports to work but shows little desire to perform or learn work without repeated orders. The inmate may occasionally be disruptive in the work setting and/or demonstrate increasing absenteeism."

9. Defendant Mooney then stated to the plaintiff that she felt he was wrong for disagreeing with her "Last" report and voicing that displeasure with her co-workers.

10. Plaintiff, although he was not wrong for disagreeing, explained to defendant Mooney that it was over two months ago.

11. Defendant Mooney went on to state that because the plaintiff spoke to her peers he was receiving the "Below-Average."

12. Plaintiff then informed defendant Mooney that there was nothing within the policy that governs correctional industry which states an inmate shall be punished for speaking about something he believes to be unfair.

13. Defendant Mooney then told the plaintiff that if he did not sign the report he would not receive a pay raise. Plaintiff filed an inmate grievance(see Exhibit A).

14. On March 23, 2020 Plaintiff, along with other inmates, were called by. Mr.Martin was stating that all inmates had to wear mask. Plaintiff informed Mr. Martin that inmates were told it was optional. At that time, Defendant Grinell responded aggressively stating: (Who gives afuck! Why the fuck you have to question anything!"

15. Plaintiff calmly responded: " I only asked a question. You don't have to curse at me."

16. Defendant Grinell then approached the plaintiff, with clinched fists, and stated: " Then shut the fuck up! And I don't care if you write another grievance."

17. Plaintiff then asked defendant Grinell " What does a grievance have to do with anything?"

18. Defendant Grinell then stated: “ You want to write grievances against “Jennifer”(Defendant Mooney)? You know what, get the fuck out!” Plaintiff Left, and filed an inmate grievance (see Exhibit B).

19. On April 1, 2020, Plaintiff wrote to Superintendent Clark notifying him of defendant Grinell’s actions, and the fact that the following day he was sent back again. Punishment for filing a grievance against defendant Mooney (see Exhibit C).

20. On April 28, 2020, Plaintiff wrote to defendant Deplatchett and was told he was suspended (see Exhibit D).

21. Plaintiff also wrote to defendant Shrader and was told he was being removed from his job (see Exhibit E).

22. On June 1, 2020, Plaintiff wrote to defendant Giles. Plaintiff received a response stating a staffing was scheduled (see Exhibit F).

23. Plaintiff then received a response from defendant Deplatchett stating that he was informed of his job removal by defendant Shrader during a “conversation” at the officer’s desk (see Exhibit G).

24. On June 3, 2020, Plaintiff filed an inmate grievance (see Exhibit H).

Previous Lawsuits by Plaintiff

25. Plaintiff has filed no previous lawsuits concerning these issues or any other issues.

Exhaustion of Administrative Remedies

26. Plaintiff attempted to solve this matter through the inmate grievance system (see Exhibit A, B, and H).

Legal Claims

27. Plaintiff re-alleges and incorporates by reference paragraphs 1 thru 26.

First and Eighth Amendment Violations

28. On January 31, 2020, Plaintiff “ Disagreed” with defendant Mooney’s report and was retaliated against when defendant Mooney gave him a “Below-Average” rating for speaking with her co-workers. Defendant Mooney then became more adverse by denying Plaintiff a pay-raise for a non-work related issue. Plaintiff supervisor, later, gave him a raise.

29. Defendant Mooney’s actions and statements are inconsistent with her reports;

(A) On September 26, 2019, Plaintiff received ‘six’ “Above Averages” on his progress report (see Exhibit I”.

(B) On November 18, 2019, Plaintiff received 'seven' "Above Averages" on his progress report (see Exhibit J).

(C) On January 28, 2020, Plaintiff received 'Twelve' "Above Averages" on his progress report (see Exhibit K).

30. As previously stated, Plaintiff was fired, and threatened by defendant Grinell for filing an inmate grievance against defendant Mooney.

31. When Plaintiff was finally called to his staffing he was told by defendant Giles that he was a constant problem, and that this was her "Third" time staffing him out of a job. Defendant Giles was incorrect, this was the Plaintiff's first time being staffed out.

32. During the staffing defendant Deplatchett told the Plaintiff that he was being staffed out due to a misconduct report. Defendant Deplatchett was incorrect, I did not receive a misconduct report at the C.I Shop.

33. Defendant Shrader also attended the Plaintiff's staffing and stated that she was voting against the Plaintiff due to his actions on the housing unit. This had nothing to do with the Plaintiff's job, and the Plaintiff had done nothing wrong on the housing unit.

34. Defendant Giles, Deplatchett, and Shrader, none of whom were present at the Plaintiff's work place, all fabricated these incidents, then removed the Plaintiff's job.

35. All defendants acted under color of state law.

Prayer For Relief

Award Compensatory Damages In The Following Amounts

(A) \$50,000.00, each, against Defendants Grinell and Mooney.

(B) \$ 25,000.00, each, against Defendants Deplatchett, Giles, and Shrader.

(C) Pay the Plaintiff \$ 5,000.00 in lost wages.

Award Punitive Damages In The following Amounts

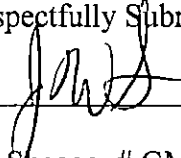
(D) \$ 50,000.00, each, against Defendants Grinell and Mooney.

(E) \$ 25,000.00, each, against Defendants Deplatchett, Giles, and Shrader.

WHEREFORE, Plaintiff prays upon this Honorable Court to grant damages against all Defendants in the best interest of justice.

Date: 12-20-21

Respectfully Submitted,

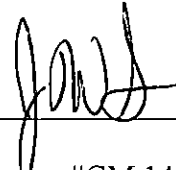
A handwritten signature in black ink, appearing to read 'J. Shegog', is written over a horizontal line.

Joseph Shegog # GM 1483
SCI ALBION
10745 Route 18
Albion, PA, 16475

Verification

I, hereby verify that the foregoing is true and correct.

Executed this Dec day of 20, 2021.

A handwritten signature in black ink, appearing to read 'J. Shegog', is written over a horizontal line.

Joseph Shegog #GM 1483

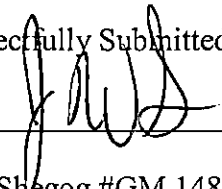
Certificate of Service

I, hereby certify that a true and correct copy of this Complaint has been mailed to the following
via first class mail:

Clerk of Courts
United States District Court
Western District of Pennsylvania
17 South Park Row
Erie, Pa. 16501

Date: 12-20-21

Respectfully Submitted,



Joseph Shegog #GM 1483